



# **JULIE LASSA**

## **STATE SENATOR**

**Strangulation Testimony**  
**Wednesday, November 07, 2007**  
**Senate Committee on Judiciary and Corrections**  
**411 South**

Chairwoman Taylor and members of the Senate Committee on Judiciary and Corrections,

Thank you for allowing me the opportunity to provide testimony today on Senate Bill 260, also known as "Angie's Law".

Angie's Law will close a loophole that exists in our state statutes dealing with strangulation and suffocation. Unfortunately, battery involving strangulation and suffocation is both dangerous and common, particularly in cases involving domestic abuse.

Our current statutes place the penalty of non-fatal strangulation on the severity of the victim's injuries and not the intentions of the perpetrator. Because 50% of suffocation and strangulation victims do not have visible injuries, most strangulation perpetrators only receive a Class A misdemeanor - a conviction that results in a maximum nine-month jail term.

This legislation allows the prosecutor in strangulation cases to consider the brutality of the actions and the danger presented by the batterer's conduct. Choking and strangulation, which can lead to death, are as serious as other forms of abuse, but may not leave the same kind of physical marks on the victims. Rather than only focusing on the severity of the injuries, this bill recognizes that some acts are violent and life-threatening without causing broken bones or lacerations.

"Angie's Law" closes this serious loophole in Wisconsin law and will protect victims of this form of violence. The bill creates a Class H felony of a \$10,000 fine or a prison term not to exceed 6 years or both for intentionally strangling or suffocating a victim. If the person convicted is a repeat offender, the fine would increase to \$25,000, and a prison term of up to 10 years could be imposed. The crime would then be considered a Class G felony.

Senate Bill 260 expands the definition of a dangerous weapon to include anything that is used to strangle or suffocate a person. Current law contains penalty enhancers for people who commit crimes using dangerous weapons. This bill allows the penalty enhancers to apply to those individuals convicted of strangulation or suffocation. The bill also expands the definition of substantial bodily harm to include a petechia (a small red or purple spot on the body, caused by a minor hemorrhage) that is caused by strangulation or suffocation.

"Angie's Law" also imposes a \$75 domestic abuse assessment if the victim had a restraining order against the offender. The assessment is mandatory in domestic violence cases involving a spouse or former spouse, a person with whom the offender lives or has lived with or a person with whom the offender has a child.

Seven other states currently have criminal strangulation statutes, allowing prosecutors to charge batterers with felonies instead of misdemeanors. Changing this language to allow the punishment of strangulation to fit the crime and is a form of prevention since strangulation and suffocation account for 10% of all violent deaths in the United States. "Angie's Law" will give law enforcement a greater opportunity to identify offenders before their behavior becomes increasingly aggressive and dangerous and stop the batterer of today from becoming the murderer of tomorrow.

I would be happy to answer any questions.

## MEMO

**To:** Members of the Senate Judiciary Committee

**From:** Chris Hotvedt, Domestic Violence Awareness Advocate and  
Mother of DV Homicide Victim

**Date:** November 7, 2007

**Re:** Testimony in support of SB 260, Strangulation Prevention Enforcement Act  
(SPEA)

My precious and beautiful daughter, Jessica, was simultaneously strangled and suffocated on September 6, 2002. She died at the hands (literally) of the father of her 12-month old son. She was also strangled by him on June 22<sup>nd</sup> of that year and left unconscious. When she regained consciousness as he was leaving her apartment he returned to hold a pillow over her face to keep her from calling for help. The police report of that day stated, "He virtually lifted her off the ground by her neck and she could feel her throat being crushed, her trachea closing...It wasn't just that she couldn't breathe."

There were two other beatings that resulted in 9-1-1 calls in the four months prior to her death, one on May 5<sup>th</sup> in which he strangled her and one on May 12<sup>th</sup>, her only Mother's Day. When police arrived on May 5<sup>th</sup>, there wasn't much evidence of injury – a scrape on her neck and petechia, multiple little red spots all around her eyes and elsewhere on her face. These signs were observed and noted in the police report. I've wondered if it would have been taken more seriously if she had been given a swollen, bloody lip or some other minor, more obvious injury. After three attacks involving strangulation and suffocation he was still free, free to do it **one last time**.

I'm pleased to see that Senate Bill 260 recognizes signs of strangulation as evidence of "substantial bodily harm." Even though it specifically limits the definition of the use of a "dangerous weapon" to use of a "ligature or other instrumentality," the legislation would still have the necessary impact for the use of an assailant's hands, a potentially lethal weapon. The man who murdered my daughter was eventually convicted of 1<sup>st</sup> degree murder with time added to his sentence for the use of a weapon but the weapon was the bath towel he rolled up and jammed down her throat with enough force to tear her tongue. His physical ability to do this and his intent to kill were clearly demonstrated prior to her murder. The legal system simply lacked the means to react appropriately to his threats. Enactment of this bill would change that.

Wikipedia says this about manual strangulation: "In violence, this type of strangling is mostly done by men against women rather than against another man because it generally requires a large disparity in physical strength between the assailant and the victim and also because men can be over twice as big as women in general." The man who murdered Jessica outweighed her by over 100 pounds and was nine inches taller than she was. In my last conversation with Jess, a phone call shortly before her death, I warned, "Be careful. This man could snap you like a twig." We all knew it but, at that time and place, the law didn't have sufficient teeth to protect her.

We need to do whatever we can to protect the vulnerable in our society. Women stalked and confronted by controlling, violent partners can't count on paper to

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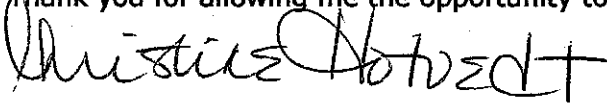
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protect them. Placing hands around someone's neck, someone who is half your size, and squeezing until that person loses consciousness is a clear demonstration of intent to cause serious harm or death.

Jessica might be alive today if there had been a law such as this to protect her. I urge you to take quick action to enact this bill into law to recognize the seriousness of these violent acts and to help insure the safety of our vulnerable citizens.

Thank you for allowing me the opportunity to provide this input.

A handwritten signature in black ink that reads "Christine Hotvedt". The signature is written in a cursive, flowing style with a large initial "C".

Christine Hotvedt  
715-323-4813  
mjsjhs@yahoo.com





## Wisconsin Coalition Against Sexual Assault, Inc.

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TO: Senate Committee on Judiciary and Corrections  
FROM: Mike Murray, Policy Specialist, WI Coalition Against Sexual Assault, Inc.  
RE: WCASA Support for SB 260- Strangulation Prevention Enforcement Act  
DATE: November 7, 2007

Good afternoon Chairperson Taylor and members of the Senate Committee on Judiciary and Corrections. Thank you for this opportunity to speak in favor of SB 260, the Strangulation Prevention and Enforcement Act (SPEA), which would create a strangulation criminal statute in Wisconsin. My name is Mike Murray and I am the Policy Specialist for the Wisconsin Coalition Against Sexual Assault, Inc. [WCASA]. WCASA would like to thank Sen. Lassa and Rep. Gundrum for sponsoring this legislation. SPEA will close an important loophole in Wisconsin's criminal statutes, which do not currently adequately address dangerous offenders who use strangulation and suffocation to terrify and control victims of sexual assault and domestic violence.

Sexual assault is a crime in which the perpetrator uses sexual acts to control, dominate, or humiliate a victim. When perpetrators use strangulation to silence and overwhelm victims, this is an ultimate example of exerting power and control over a victim. This violent form of power and control psychologically terrorizes victims and is also extremely dangerous. One can only imagine the terror experienced by a sexual assault victim who is literally having the life strangled out of her while simultaneously being raped. Such violent and dangerous perpetrator behavior warrants a law that better addresses the unique dynamics of strangulation than do our current criminal statutes.

The passage of SB 260 will provide strong motivation for law enforcement and the medical community to receive adequate training about how to identify and investigate potential strangulation cases. This is important because strangulation is often very difficult to initially identify since it does not always leave easily identifiable bodily injuries or marks. The more widely law enforcement and the medical community are trained on this issue, the more strangulation victims will be identified in the future.

As an often overlooked criminal act, there is not much data available currently detailing what percentage of sexual assaults involve strangulation and/or suffocation. However, victim service providers and first responders report that strangulation is an all too common tactic employed by perpetrators. A sexual assault nurse examiner (SANE) from a small, rural county shared three victim stories with WCASA that illustrate the varying ways perpetrators use this violent tactic to exert power and control over victims:

(OVER)

- In a stranger rape case with multiple perpetrators, one of the perpetrators put his knee on the victim's sternum, which caused her diaphragm to stop working and resulted in petechial hemorrhaging. The victim described the sensation like a door was closing from her chest to her head.
- In a child sexual assault case, a perpetrator held the child victim down by her neck. The victim did not present to the emergency room until three days after the assault due to a persistent cough as a result of the strangulation.
- In a date rape case, the perpetrator strangled the victim. The victim arrived at an emergency room and the victim did not initially report that she was strangled. A trained SANE nurse decided that the victim's blood oxygen level should be tested, and when it was her blood oxygen level was so low that she was in danger of impaired brain, heart and lung function. If not for the trained SANE nurse thinking to test the victim's blood oxygen level, the victim could have suffered severe injuries to her vital organs.

These cases only represent the tip of the iceberg of sexual assaults that involve strangulation. Wisconsin law does not adequately address the severity of this crime. SB 260 will go a long way toward ensuring that Wisconsin law can protect victims of this terrifying and violent crime and hold these dangerous perpetrators accountable. WCASA strongly urges you to support this legislation.





# **WISCONSIN SHERIFFS & DEPUTY SHERIFFS ASSOCIATION**

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## **Resolution No. 4-2007**

### **To create a statute for Strangulation or Suffocation**

**Whereas**, the 'Wisconsin Medical Journal' reports that:

1. Strangulation accounts for 10% of all violent deaths in the United States.
2. There is a potential for significant complications including laryngeal fractures, upper airway edema, and vocal cord immobility.
3. Survivors are most often assaulted during an incident of intimate partner violence or sexual assault. and;

**Whereas**, the 'Wisconsin Coalition Against Sexual Assault' reports that:

1. Seven states have criminal strangulation statutes.
2. States enacted strangulation statutes because-while strangulation can be lethal-it often does not result in substantial bodily harm or involve the use of a weapon that would make such assaults a felony under other state laws, such as in Wisconsin.
3. Those who strangle someone would usually only receive a misdemeanor under traditional criminal laws.
4. States that have enacted strangulation statutes have implemented law enforcement and EMT training protocols to help first responders recognize victims of strangulation. and;

**Whereas**, Winn Collins, ADA for Outagamie County, has requested that the Wisconsin Sheriffs and Deputy Sheriffs Association publicly endorse legislation creating as statute.

**Therefore, be it resolved**, that the Wisconsin Sheriffs and Deputy Sheriffs Association here convened this 6<sup>th</sup> day of February, 2007 at Stevens Point, Wisconsin, do hereby support legislation for the creation of a 'Strangulation or Suffocation' statute as:

1. Whoever intentionally or knowingly impedes the normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person is guilty of a Class H felony.

2. Whoever violates sub. 1. is guilty of a Class G felony if the actor has a previous conviction under this section or a previous conviction for a violent crime, as defined in s. 939.632(1)(e)1.

**Be it further resolved,** that the Executive Director and/or the Public Affairs Counsel of the WSDSA be directed to disseminate this resolution to the Governor and members of the Legislator.

Submitted by the Board of Directors for consideration by the membership on this 6<sup>th</sup> day of February 2007 at Stevens Point, Wisconsin.

Motion for adoption by Steven Moe

Motion 2<sup>nd</sup> by Dennis Smith

Action by Association Passed

# Memo



To: Members of the Senate Committee on Judiciary & Corrections

From: Josh Freker, Policy Director, WCADV, 608-255-0539, [joshf@wcadv.org](mailto:joshf@wcadv.org)

Date: November 7, 2007

Re: Testimony in support of SB 260, Strangulation Prevention Enforcement Act (SPEA)

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Thank you for providing an opportunity to share my organization's perspective on SB 260, the Strangulation Prevention Enforcement Act (SPEA). I represent the Wisconsin Coalition Against Domestic Violence, which is the statewide voice for victims of domestic violence and the local programs in every county of our state that serve them. We have been a part of the workgroup of diverse organizations that came together many months ago to address the problem of strangulation. We fully support SB 260 and hope you will too.

Strangulation has only recently been identified as one of the most lethal forms of domestic violence. Historically, strangulation has been rarely prosecuted as a serious offense because victims minimize the level of violence they experience, and police or medical personnel fail to recognize its harm. As awareness of strangulation has grown, we have observed a pattern in which strangulation is used by abusers as they escalate violence. In other words, strangulation, when detected, is a strong indicator of an overall and potentially deadly pattern of violence in an intimate relationship.

Abusers use strangulation as one of the many tactics to silence, coerce, control, and sometimes kill their victims. Local programs that run domestic violence help lines, operate support groups, and provide shelter to victims in crisis increasingly tell us that strangulation is a serious problem—not just because of its consistent use by abusers but also because current law does not adequately address this crime.

It's currently difficult to track incidents of strangulation, but a review of homicides can provide at least a small snapshot of its prevalence and lethality. Each year, WCADV releases a report of domestic violence-related homicides. Our 2005 report found that out of 34 total homicides that year, three victims were strangled to death. An additional three cases also involved strangulation. That means 17% of domestic violence homicides involved strangulation in 2005. In 2004, strangulation was involved in at least 12 percent of the 33 domestic violence homicides we identified that year. Nationwide, research has found that up to 10 percent of all violent deaths each year stem from strangulation.

Particularly because strangulation can leave no visible injury or cause bruising only days after it occurs, abusers too often get away with misdemeanors or no charges even when they cause serious harm to their victims. Abusers deliberately use strangulation precisely because they know it will not cause visible bruising. They can terrorize their victims, yet those victims will go about their daily life without friends, family, or the general public observing any physical signs of the abuse. If abusers think they can get away with violence without punishment, they will. That's the nature of domestic violence. It's calculated, and it's about maintaining power over victims' lives.

The bill before us today, SPEA, will give law enforcement better guidance to adequately handle the severity and danger of strangulation for victims. By explicitly spelling out the crime of strangulation as a felony, the bill will be a powerful tool for intervening in domestic violence and keeping it from intensifying. It will hold abusers accountable, and it could potentially help save lives.





By **Doug Hissom**  
Special to OMC

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## In Politics Commentary

Published Aug. 24, 2007 at 5:19 a.m.

**Spewing on SPEA:** Here's one law that shouldn't be too difficult to get behind -- the Strangulation Prevention Enforcement Act, with a heady acronym known as SPEA. It should be easy to pass this bill since we've heard few advocates backing strangulation lately. Showing an amazing acumen of bi-partisanship that would certainly go a long ways to get a state budget passed, state Sens. Julie Lassa (D-Stevens Point), Dan Kapanke (R-LaCrosse) and our own Ted Kanavas (R-Brookfield) along with state Reps. Mark Gundrum (R-New Berlin) and Ann Hraychuck (D-Balsam Lake) have cast down their partisan spears and joined in a united effort to end this scourge of strangulation. It's being termed a "homicide prevention" bill.

"The legislation achieves this by closing a loophole that has allowed batterers to avoid any serious penalty for committing dangerous acts of strangulation and suffocation because current laws focus on the injury suffered to the victim as opposed to the danger posed by the batterer's conduct," reads a statement announcing the initiative. And we thought prosecutors are supposed to be prosecuting batterers and throwing them in prison. Apparently, stranglers have been charged with misdemeanors for way too long. This bill makes strangling a felony.

And there are a whole bunch of nice people supporting this bill including: The Association of State Prosecutors (ASP), the Wisconsin Chapter of the International Association of Forensic Nurses (WI-IAFN), the Wisconsin Coalition Against Domestic Violence (WCADV), the Wisconsin Coalition Against Sexual Assault (WCASA), the Wisconsin District Attorneys Association (WDAA), the Wisconsin Sheriff's and Deputy Sheriffs Association (WSDSA), and the Wisconsin Victim/Witness Professionals (WVWP).

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# Wisconsin Police Chief

Volume 9 - Issue 1

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## Presidents Message

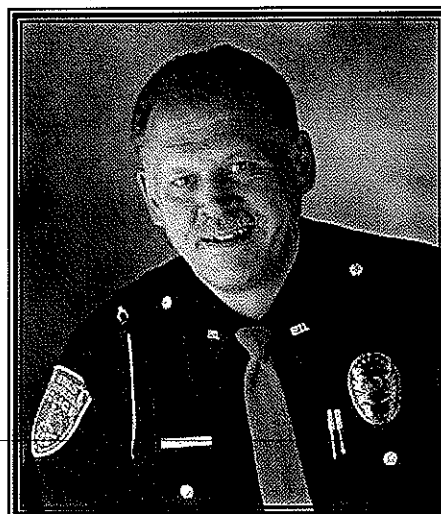
By

**Chief Daniel R. Vergin**  
**Everest Metropolitan Police Department**

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The Association has been approached by the Badger Sheriff's Association to co-sponsor legislation called the Safe Schools Initiative that if passed, would allow school districts to exceed the state imposed tax levies to pay the costs for School Resource Officers. I will be meeting with the Badger Sheriff's and the Governors Office to include the initiative in the Governor's budget proposal. While it is too early to predict an outcome, there is already support from local school districts that believe in the program, and legislators have also expressed an interest in supporting this. I bring this to you early so that you can encourage your school districts to support this legislation when it becomes public. We will be posting the Initiative on the WCPA website so you can review the proposal in full.



Later this month I will be attending the New Chief's and Sheriff's seminar to talk about the benefits of belonging to our organization. While most of the police chiefs in Wisconsin are members, not all have sought membership. I would like to ask you to encourage any chief in your part of the state that is not a member, or who does not participate in the Association, to consider joining and attending our conferences. I believe that it is imperative that we use the opportunities provided through the Chiefs Association not only for the outstanding training received at the conferences, but also to recognize that networking is a vital part of police leadership. 3<sup>rd</sup> Vice-president Chief Dave Banaszynski (Shorewood PD) has taken it on as his initiative to recruit new members to the Association, so if you know of someone Dave should contact, please let him know.

As a follow-up to that, 1<sup>st</sup> vice-president Neil Strobel has been certified by the





# Preventing Homicide through the Living:

How a Strangulation/Suffocation Statute Stops Tomorrow's Killers

By:

Winn S. Collins, Assistant District Attorney

Outagamie County District Attorney's Office  
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Telephone: (920) 832-5024

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*On a chilly October evening in 2005, Mary and her boyfriend, Rick, went to her residence after they had been drinking at a tavern a few blocks from her residence. Upon returning home, Mary told Rick he needed to stop coming around to her residence so often because of recent problems in the relationship, including a prior disturbance when Rick assaulted Mary, which resulted in a pending charge for misdemeanor battery with an ongoing no contact order from the court prohibiting Rick from having contact with Mary. Rick became upset with Mary for wanting to end their four year relationship so he grabbed Mary from behind and placed his hand around Mary's nose and mouth. Rick began to apply pressure while telling Mary they "both need to die." Mary had trouble breathing and struggled to break free. Initially, Mary was able to free herself and she started to run to exit the residence. Rick followed and grabbed Mary around the throat before again applying pressure and telling her they "both need to die." Mary broke free, running outside the residence without any shoes, socks or jacket. Mary ran for several blocks, back to the tavern where the evening began. Once at the tavern, a patron called 9-1-1 and the police arrived. Mary reported some soreness, but the investigating officer noted no visible marks or injuries to Mary. In accordance with his training and experience, the officer referred the case for a misdemeanor charge of battery because the soreness described by Mary met the definition for simple "bodily harm" under Wisconsin law, but there was no evidence to support a finding of felony "great bodily harm" or "substantial bodily harm." Despite some felony statutes potentially applying to the situation, the officer was without any felony offense clearly prohibiting Rick's actions that night because the injury to Mary was minimal despite the conduct being very dangerous.\**

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In 2001, *The Journal of Emergency Medicine* printed a collection of articles which revealed that non-lethal strangulation and suffocation occurred far more commonly than previously thought, particularly within domestic relationships. The studies also found that non-lethal strangulation and suffocation most often occur during the later cycles of violence in a relationship, which demonstrates two troubling prospects when an officer receives a report of strangulation or suffocation: (1) Prior violent acts likely occurred in the relationship, and (2) Future violent acts likely will occur in the relationship. The most troubling revelation of studies revealed that, despite this serious and potentially lethal conduct, strangulation and suffocation commonly resulted in misdemeanor criminal convictions if any conviction at all. This article begins by distinguishing strangulation and suffocation from "choking" before examining the lessons to garner from *The Journal of Emergency Medicine* studies and then it concludes that a statute expressly criminalizing strangulation and suffocation provides the best opportunity to respond appropriately to this high risk conduct, which will identify those high risk offenders most likely to commit future serious, even fatal, assaults.

Dr. George McClane, an emergency physician and expert on strangulation of Sharp Grossmont Hospital in California, reported that strangulation or suffocation is extremely dangerous conduct which may quickly result in a loss of consciousness and even death in a relatively short time period. Dr. McClane noted that people commonly fail to understand the seriousness of strangulation because the conduct is dismissed as mere "choking." However, such a classification is medically incorrect because "choking" is the obstruction of a person's airway caused by an internal object within the body, such as a wayward piece of food blocking the airway. Strangulation is blockage of the airway or closure of the blood vessels caused by external pressure to the neck.

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\* This incident is based upon an actual criminal case in Wisconsin. The name of the victim was changed to protect her identity. The name of the defendant also was changed to further protect the victim's identity.



The distinction between an internal versus an external obstruction is significant because the body commonly can dislodge a stray piece of food through coughing or other such internal reactions, but the body does not have a natural response to counteract external pressure applied to the mouth, nose or neck, particularly when the person applying the pressure is stronger than the person being strangled or suffocated.

A person who commits an act of non-lethal strangulation and suffocation has a high likelihood of previously engaging in violent conduct. For example, City Attorney Gael Strack of San Diego, California, examined 300 hundred cases of attempted strangulation and found that there was a history of prior violence in approximately nine out of ten (89 percent) of the cases examined. Attorney Strack also found the average age of the abuser was beyond thirty, demonstrating that experienced abusers have a higher propensity to engage in such conduct than younger, more novice offenders. Dr. Lee Wilbur, of St. Josephs Hospital in Denver, Colorado, found similar patterns with strangulation occurring approximately five years into a relationship and three years after the first incident of violence or abuse. The illustrative case presented at the beginning of this article matched this pattern because Rick suffocated and strangled Mary four years into their relationship with prior violent acts against her. Dr. Donald Smith, Jr., of the Violence Intervention and Prevention Center in Texas, determined that non-lethal strangulation and suffocation occur with some frequency once introduced into a relationship. For example, less than half of strangulation victims reported the incident occurring only once within the relationship. Therefore, there is a high correlation between non-lethal strangulation and suffocation with the prevalence of past acts of violence.

An abuser engaged in non-lethal strangulation and suffocation conduct also poses a greater risk of engaging in serious violent crime, even homicide, in the future than those who do not engage in such conduct. The most apparent indicator on this issue derives from homicide statistics which show that ten percent of violent deaths in the United States are directly because of strangulation, according to reports from Dr. McClane. The actual homicide, however, may not be one of strangulation. For example, Attorney Strack explained that the case that prompted a major review of strangulation in her jurisdiction involved the homicide of a 17 year-old girl in March 1995. In this case, the girl reported being "choked" by her 21 year-old boyfriend and reported the incident to police immediately after it occurred. The girl recanted and her injuries were minimal, so no arrest was made. A week later, the same boyfriend stabbed her to death. This case illustrates that a non-lethal strangulation today may become a homicide tomorrow when the offender is not held accountable. The studies from *The Journal of Emergency Medicine* confirm this assertion with Dr. Smith noting that nearly one-quarter of strangulation or suffocation victims have previously been strangled on at least four prior occasions. Dr. McClane agrees that the abuser will strangle or suffocate again because "abusers tend to perpetrate the same type of violence over and over, often with ever-increasing rage and worsening injury toward the victim."

Despite the highly dangerous conduct, the criminal justice system commonly handles non-lethal strangulation and suffocation cases as misdemeanor as opposed to felony offenses because most criminal offenses only consider the injury caused to the victim as opposed to the conduct of the perpetrator. For example, Wisconsin has over two dozen non-fatal criminal offenses centered upon the injury caused to the victim, but each of these crimes require at least "bodily harm" to the victim; that is to say, actual pain or injury to a victim. In contrast, Wisconsin essentially has only one general statute criminalizing dangerous conduct not requiring actual pain or injury, which is the recklessly endangering safety statute. This statutory imbalance places the focus on the victim's injury as opposed to the offender's conduct. Strangulation and suffocation exacerbates this imbalance because visible external injuries do not exist in approximately one half of non-lethal cases, according to the results of the three-hundred cases examined by Attorney Strack. The officer investigating the suffocation and strangulation to Mary faced precisely this dilemma before ultimately referring Rick for misdemeanor battery. Injuries in non-lethal strangulation and suffocation cases often occur below the skin and bruising sometimes does not develop until days after the attack if it develops at all. Wisconsin's criminal statutes



simply fail to properly recognize the long term and fatal implications associated with non-lethal strangulation and suffocation.

To remedy this deficiency, representatives from law enforcement, medical, prosecution, and victim-advocate communities joined forces in the autumn of 2006 to create a statute expressly criminalizing strangulation and suffocation in Wisconsin. This group examined the statutes in other states that already have such statutes, including teleconferencing with one of the creators to Minnesota's recently enacted strangulation statute. The diverse membership of the board ensured that the proposed legislation incorporated all the thoughts and concerns to those within the criminal justice system and medical community likely to utilize the proposed statute. Enactment of this legislation will not only properly recognize non-lethal strangulation and suffocation as very serious conduct appropriate of felony disposition, but the legislation brings awareness to those within the criminal justice system and medical community that this dangerous conduct requires an appropriate response and sanction to prevent the living victims of today from becoming the homicide victims of tomorrow.

1. The first part of the report discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the company's financial health and for providing reliable information to stakeholders. The report also highlights the need for transparency and accountability in all financial dealings.

2. The second part of the report details the current state of the company's financial records. It identifies several areas where improvements are needed, such as the lack of standardized procedures for recording transactions and the absence of a dedicated accounting department. The report also notes that the existing records are often incomplete and contain errors, which can lead to misleading financial statements.

3. The third part of the report proposes a series of recommendations to address these issues. These include implementing a standardized accounting system, hiring a qualified accountant, and establishing a clear policy for recording and reviewing transactions. The report also suggests that the company should consider using accounting software to streamline the record-keeping process and reduce the risk of errors.

4. The final part of the report concludes that while the current financial record-keeping system is inadequate, it is possible to improve it through the implementation of the proposed recommendations. The report stresses that these improvements are necessary for the company to maintain its financial integrity and to ensure that it is able to provide accurate and reliable financial information to its stakeholders.



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November 7, 2007

TO: The Honorable Members of the Senate Committee on Judiciary and Corrections

FR: Attorney General J.B. Van Hollen

RE: 2007 Senate Bill 260

Dear Senators:

I am writing to express my support of Senate Bill 260, relating to strangulation and suffocation. Several weeks ago, I sent a similar letter to the Assembly Judiciary Committee expressing my support of Assembly Bill 499, the companion bill to SB 260. As you may know, the Assembly Judiciary Committee amended and passed AB 499 by unanimous votes.

Creating a new felony offense for strangulation and suffocation will go a long way toward protecting victims and punishing perpetrators of domestic violence. This bill recognizes that strangulation is a unique dangerous behavior to be punished. That behavior, regardless of the physical manifestation of the injury, is worthy of a serious penalty. Victims of strangulation or suffocation often suffer long-term physical and mental injuries. In addition, perpetrators of these acts many times go on to commit increasingly more violent acts, in some cases ending in homicide.

That is why I support Senate Bill 260 and the creation of a specific crime for strangulation and suffocation, separate and apart from battery. And, as with the Assembly amendment, I support Senate Amendment 1. I believe this amendment improves the bill's consistency with current statutory structure while making it clear that this legislation is intended to supplement prosecutorial discretion, not supplant it. If enacted, prosecutors will have the ability to charge an offender with the new strangulation and suffocation offense or, in appropriate cases, charge first-degree reckless endangerment for activity that could be charged as strangulation or suffocation.

I appreciate the hard work of you and your colleagues in drafting this legislation, as well as the work of many members of the public safety and law enforcement community, victim's rights community, and medical community whose efforts have raised awareness about domestic violence and the dangers of strangulation. I urge you to pass this legislation creating a separate offense for strangulation and suffocation.

